

# MIGHT NOT A "LEAGUE TO DEFEND THE PUBLIC" BE A GOOD THING?

SIR EDWARD COKE, who lived 1549-1634, wrote: "Reason is the life of the law; say, the common law itself is nothing else but reason. The law is perfection of reason." That may have been the case in the common law, and many lawyers can still be found who have passionately over the beauty of the law, and seek to transfer Coke's idea to the vast and intricate body of statute law and case law which has grown up since Coke's day. Every young man who begins the study of law with a view to entering the profession becomes enamored of his delightful task. His Blackstone becomes his Bible, his intellectual affinity, his first love. Indeed it is beautiful, and every man with a brain delights in following the foundation courses in the law. There is no more fascinating pursuit in the world for one who is so fascinated that he enjoys mental exercise, enjoys it as a game, interests himself as keenly as the devotee to chess or whist or mathematics or dogmatic theology or philosophy.

But "the law" as we know it today in the United States is something different from "the law" which Sir Edward Coke wrote about. It cannot be said of it now that "The law is perfection of reason."

When the common law began to emerge, there was the greatest need to protect "the people" against "the government." From Magna Carta on, it was a question of "the people" wrestling with "the government" human rights that had been usurped.

With the millions upon millions of additions that have been made to "the law" in all its manifold branches since those days, it has come to be a fact that today "the government" which is to say (in a democracy or a democratic republic) "the people," finds difficulty at every turn in defending itself against that small minority which is generally disposed to do injury to others, and thereby to the common law.

In the earliest days, the formative period of the common law, "the people" were subject to terrible and constant oppression. Each step in advance had for its object and its effect to relieve "the people" from this oppression. In the early days, it might almost be said that everybody was a criminal who was not at the moment serving abjectly the small ruling clique—and these constructive and assumed "criminals" had no rights except such as were asserted by force. The changes were slow, the development exceedingly gradual. Hundreds and hundreds of years with their countless wars and insupportable sacrifices were required to advance the process to the point where it could be said that a man should be assumed innocent until he was proved guilty. It is interesting to trace in detail all the important steps in the process, but that is not the purpose of this sketch.

The truth today is that "the law" as we know it has made it, and is making it, exceedingly difficult, and often impossible, for the great law abiding majority to defend itself against the small, vicious minority. In countless ways, that every clever lawyer makes it his business to master, it is made easy for the criminal to escape, and harder and harder for the criminal to be brought to punishment.

The responsibility is to be divided. The state of public sentiment is the chief element, for with a strong will rightly directed and with unity and organization, the majority can accomplish anything it sets out to do.

Lawyers make our law, pass upon them, direct their administration; it is rare indeed that we find today in an American community a judge or a prosecutor who will take pains to see that a new trail is laid for the justice. Lawyers in public office too often permit themselves to be bound up and immobilized by the coils of "the law" instead of making use of "the law" to accomplish the ends of justice.

It is always refreshing to read decisions of high courts in large questions such as those involving constitutional interpretation. Trained lawyers take as keen pleasure in studying and adjudicating such cases as a golf player takes in trying a new stroke. And their works are often works of beauty. It is not in such exhibitions of legal acumen that reference is made, but rather to prevailing practices in the criminal courts, and in equity courts dealing with cases of certain kinds, such as those involving possible or impending wrong or injury which it is desirable as a matter of public policy to prevent.

"The law" of evidence has become such that it is often exceedingly difficult to insure a verdict of guilty even though the fact of guilt may be indisputable by any normal human mind. It has often been said that two things are absolutely unchangeable: a woman and a jury. Without introducing the possibility of a jury being corrupted as to one or more of its members, it is still the experience and observation of most men who have served on juries and watched court proceedings that it is often made as difficult as possible, and sometimes quite impossible, for a jury to find a verdict in accordance with the real convictions of its individual members. Similarly, it is often made all but impossible for a community to protect itself from threatened or impending injury or wrong, or from the continuance of an existing wrong, because of the manner in which "the law" of evidence is invoked.

Indeed, many courts and prosecutors are the victims of "the law" which they may be conscientiously trying to serve. Judges are in mortal fear of being reversed for error. Prosecutors naturally dislike to roll up lists of lost causes. A great fear and trembling takes possession of them, lest they transgress some accepted rule of their wonderful science. One result is that, instead of being useful and fearless advocates and champions of right and decency and honesty, they really surrender to the purposes of the lawless minority.

Crime flourishes in the United States, and "the people" cry in vain for protection—no longer against "the government" but against the lawless and evil disposed minority which has found a thousand ways to defeat the ends of justice by successfully and cleverly invoking the very "law" which they cynically flout and openly break and defy.

The chance of one who commits a serious crime, or who habitually defies the necessary regulations of community life, being punished, is so small that it is hardly taken into account by those who willfully set out to do a thing the law justly prohibits.

In the old days, it was hard for a criminal or a suspect to get justice. The world came to his rescue, fought for him, and gave him a show.

Nowadays it is the world that is having a hard time to get justice, as against the criminal who has learned all the tricks.

Perhaps there is need for a League To Defend the Public.

## Wool Prices

THE OTHER end of the high price proposition sometimes looks different, as it certainly does in the case of wool. According to the wool growers of New Mexico, if they sold their crop now they would lose from \$3,000,000 to \$5,000,000. If the interests of the wool growers can be pooled and the product thus held for better prices, a loss can be prevented.

In three months, the wool men figure, they can realize 45 to 50 cents a pound. Thus by holding the wool for a few months, millions more in actual money can be brought into New Mexico and the southwest generally.

Although some offers are as low as 10 cents New Mexico banks are leading as high as 20 cents a pound on crops to tide the growers over and to stabilize the market during the period of depression.

Now how many will vote to keep up the price of ready-made suits so as to help the wool growers? Do we hear an aye?

Somebody suggests that the depression in the wool market is due to high clothing prices reducing sales of ready-to-wear. Discussion is in order.

Every experience tends to prove that people are not equal, even though they may have been created equal.

Every home that is built is a stone in the wall that will protect the world against barbarism.

One thing about the gypsy fortune tellers: they know as much about the future as anybody.

The days are finding out what the rest knew already; that Bryan is mighty hard to please.

There are persons who spend most of their adult lives looking for a new "cure."

Blessed is he who expects nothing, for he shall never be disappointed.

# SCHOOL DAYS

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THE WAY OF A MAN WITH A MIND

## Voting For Best Man For Job Soon Will Clean Up Politics Police Have Problem In Dealing With Incoming Criminals

ONE thing that has a bad influence on politics in this country is the fact that in the majority of cases, other things than the worth of the candidate are considered in his election," said Paul G. Porter. "For example, many men will vote according to their own selfish interests and because they think that they themselves will reap an indirect reward. Others will vote against a man whom they know to be eminently fitted for an office because of personal animosity. These things defeat the purpose of our election laws. The time may never come, but it should, when voters will be governed by their choice by one question and one only: 'Is he better fitted for the office than his competitors?' Incidentally, such a procedure will drive away half of the politicians of the country."

"I have often wished I owned a newspaper," said Charles J. Andrews. "If I had my life to live over again I think I would start one. I think the way The Herald covered the two conventions recently deserved the commendation of everybody in El Paso. I think G. Allen Martin did it as well if not better than any other correspondent in the game."

"Few people appreciate the many qualities which the capable law enforcement men must combine to be able to do their job," said Charles J. Andrews. "If I had my life to live over again I think I would start one. I think the way The Herald covered the two conventions recently deserved the commendation of everybody in El Paso. I think G. Allen Martin did it as well if not better than any other correspondent in the game."

"The recent disappearance of two El Paso men and the murder of a third brings home the fact that our police are dealing with a far greater problem than the average public knows," said R. B. Rawlin. "El Paso, unfortunately, has some of the worst criminals in the country. A migration of the criminal element toward border points as a result of prohibition has made this a general rule which takes them where they have access to liquor. And usually, being a floating class, they are far more dangerous to handle than local criminals. In this El Paso is no worse off than other places."

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## A Childhood Pastime Paved Way To Fortune

By FRANCES L. GARRISON

GRACE GIBBY DRAYTON was a southern girl, and all her life she had painted, taking up the brush as naturally when she was six as when she was sixty.

## YE TOWNE GOSSIP

(Registered U. S. Patent Office) By K. C. R.

IN A dark hallway.  
A LETTER carrier.  
HELD LIGHTED matches.  
UP CLOSE to the names.  
SO THAT he might see.  
WHERE THE letters went.  
AND WHEN I asked.  
WHY HE didn't complain.  
HE SAID to me.  
THAT FOR thirty years.  
HE'D BEEN carrying mail.  
INTO DARK hallways.  
AND HAD LONG SINCE FOUND.  
THAT IT DID NO GOOD.  
TO MAKE complaint.  
AND IT SEEMED to him.  
THAT NO ONE CARED.  
AND THAT'S BEEN TRUE.  
AND THAT IS WHY.  
I WRITE these lines.  
FOR POSTAL clerks.  
AND THE carrier man.  
AND SOME of them.  
HAVE GROWN OLD.  
IN THE work they do.  
AND THEY'VE BEEN TRUE.  
EACH to his task.  
WHILE YOU and I.  
HAVE GONE OUR WAY.  
AND HAVEN'T CARED.  
AND FELT no shame.  
THAT THE wage they got.



Abe Martin

## Lang Syne

By WALT MASON.

WHEN we grow old we all look back with longing o'er the traveled track, to days of auld lang syne; and we inform the younger men that everything was better then, yea, doubly smooth and fine. I'm having better times today than in the dim years far away, when I was always broke; I'm living now in Easy street, but every morning I repeat the old song's harmless joke. "When I was young, my yams began; then all was gold that now is tin, and bricks were precious stones; then orchids grew on all our lawns, and guinea hens and geese were swans, and trees grew silver domes. When I was young my path was steep and often I sat down to weep and wish for better times. I slaved away at bitter tasks, and carried kegs of nails and corks, to earn some meagre dime. I worked some 18 hours a day on farms composed of rocks and clay, I wrought with rusty tools; I swung an ax, I packed a bed, and breaking mules of prairie sod, I pushed two sorrow mules. I wouldn't do the old time chores for all the wealth the miser pours into his bin at night; but when I'd break some heaver's hearts, "When I was young," my story starts, "the world was gay and bright."

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# Patter And Chatter

By S. E. KIRK



## Elysian Fields

I HAVE no wish to be a king, for kings, it seems, have lost their popularity. I would not care to be a thing maintained at public cost. No jeweled crown for me! Nor have I any wish at all to run for president. Waylaid at every turn, then, beaten badly in the fall, left sinking in my tent, and causing no concern.

BUT do not let yourself suppose that I am satisfied. To be observed, unknown, I have a secret I'll disclose—I'll whisper it aside. Between ourselves alone: I'd like to be more handsome than Apollo at his best. And, have winning ways. Find solace in the only man where women looked for rest. Through summer holidays.



SAFETY FIRST. In a certain town in Texas the council has passed an ordinance making it illegal for a man who has lost both legs to sell peanuts. Always try to avoid losing more than one leg.

## Bedtime Stories For The Little Ones

UNCLE WIGGLY'S SPOOL GUN. By HOWARD H. GARIS.

ONE day, when Uncle Wiggly was hopping through the woods, looking for a place to hide his long nose, when he happened to hear some one call: "Wait a minute, Uncle Wiggly! Wait for me!" The bunny rabbit twinkled his pink ears and was looking for a place to hide his long nose, when he happened to hear some one call: "Wait a minute, Uncle Wiggly! Wait for me!"



Look out! cried the bunny.

Uncle Wiggly pulled it back with the elastic. Then he aimed the spool gun through the keyhole window at the rabbit on the steps below. "Look out!" cried the bunny. He let go of the elastic which snapped back and hit the bunny on the nose. "Oh, how!" howled the bunny. "You shot me!" cried the bunny. "You shot me!" cried the bunny. "You shot me!" cried the bunny.

## If I Had My Life To Live Over Again

I had my life to live over again I would follow salesmanship for a vocation as I have always done. I love the service and principle for which genuine salesmanship stands. It is the highest calling to which man can aspire, for it is the fundamental principle of all progress. I have, like every one else, made mistakes. I have made many mistakes. I have made many mistakes. I have made many mistakes.

## Short Snatches From Everywhere

Hell hath no fury like a suffragette scorned.—Columbia Record. Unfortunately, climate is not much protected by the weather. The buildings begin to rock.—Indianapolis Star. An ordinance against driving an auto with one hand is asked in Detroit. And yet they are talking about a law against driving with two hands.—Louisville Post-Courier. It was easy to identify the wolf that a man killed on a Detroit street. A wolf these days cannot afford to be a wolf.—Detroit News. Senator Harding probably would feel more comfortable sitting on his porch if Elmer Johnson also didn't stick up signs to him.—St. Louis City Tribune. May we suggest that the side-spot would be a more appropriate spot than the front porch from which to conduct that campaign?—Columbia (S. C.) Record. "The bluster on the desert," to the very "bustles of Heaven."—Willis H. Ransom.

## About Broadway Plays And Players

By HIDE DUDLEY.

NEW YORK, July 24.—The Harris theater, which has passed under the control of H. B. Frazer, has been renamed the Frazer. Margaret Anglin has arranged to play a new play, "The Woman of the Year," at the Frazer. The Frazer is a new play, and it is a new play. The Frazer is a new play, and it is a new play.

COHAN PLAYS, ONLY. George M. Cohan announced that his new play, "The Boy Who Came to the World," will be played at the Frazer. The Frazer is a new play, and it is a new play.

DIPT DOOLEYS! Teacher—Who wrote "Columbia, the Gem of the Ocean"? Tommy—Franklin Scott Key. Teacher—Correct! After what noted two-brass men was the state of New Jersey named? Tommy—William Penn. Teacher—Correct! In what city do Chicago girls have big feet? Tommy—Chicago. Teacher—Correct! To whom did Eve give the apple in Garden City? Tommy—Noah Webster. Teacher—Correct! How strong was Hogwallow Locals?

NOTED CAT PASSES ON. Gaby, feline queen of the Winter Garden, is dead. She came to the city theatre at the same time that Gaby Dealy did and had kept the place supplied with kittens for years.

BARBIE COMING HERE. The Famous Players-Lasky Corporation announces that Sir James M. Barry is coming to the United States in the fall to assist in the filming of his play "Peter Pan" by the city theatre. The play is a new play, and it is a new play.

LADY SAKES ALIVE! Six Oriental dancing girls, recently caught out of a touring party here, are coming to New York to appear in "Meena," which Comstock and Gent will stage at the Century in September. Will A. Page calls them "Oriental lotus-buds," and says each is a janglelous. Gosh! Guess we'll have to go.

HELPING MARY OUT. Hot dum! Hi! "You have to hand it to Margaret! Why? Well, didn't she lend Mary Milburn of 'The Girl in the Spotlight' \$25 one time to pay her hotel bill?" Yes, she did that very thing. It was when Mary was a chorus girl. Mary didn't have the money to pay the hotel bill, but she did. Somebody told Margaret, and she lent Mary the money. Mary paid Margaret back, and she will never forget the kindness.

She cried when debt answered to Mack Yer, And now she's at The Kalkreuthers.

GONST. "Flordora" is in its fifteenth week at the Century theatre. George Blaisdell is the star.

Dock Hocks, our blacksmith, could pass himself off as two different persons if he wanted to, as there is so much difference between him on Sundays and week days.

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